

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 18-1979 (DSD/DTS)

Lar Po Kwe,

Petitioner,

v.

ORDER

Secretary of Department of
Homeland Security, et al.,

Respondents.

This matter is before the court upon the report and recommendation of Magistrate Judge David T. Schultz, dated September 6, 2018 (R&R). The magistrate judge recommended that the court deny petitioner Lar Po Kwe's application for a writ of habeas corpus filed under 28 U.S.C. § 2241, because Kwe has already been deported, rendering his habeas application moot. See, e.g., Mhanna v. U.S. Dep't of Homeland Sec. Citizenship & Immigration Servs., No. 10-292, 2010 WL 5141803, at *12 (D. Minn. Dec. 13, 2010) (holding that "[t]o the extent that the [c]ourt could construe [petitioner's] request for relief as a reviewable habeas claim relating to his ICE detention ... ICE's removal of [petitioner] from the United States renders any such claim moot.") (citing cases). No objections to the R&R have been filed within the time period permitted. Under these circumstances, and noting Kwe's removal, the court finds it appropriate to adopt the R&R.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The R&R [ECF No. 15] is adopted in its entirety; and
2. Kwe's application for a writ of habeas corpus
[ECF No. 1] is denied as moot.

Dated: September 28, 2018

s/David S. Doty
David S. Doty, Judge
United States District Court